

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

Longo En-Tech Puerto Rico, Inc., Plaintiff, v. The United States Environmental Protection Agency, Gina McCarthy, Administrator, et al., Defendants.	CIVIL NO. 16-3151 (DRD)
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RESPONSE IN OPPOSITION TO STAY OF CASE

TO THE HONORABLE COURT:

COMES NOW, the United States of America, by and through the undersigned attorneys and very respectfully STATES AND PRAYS:

1. On November 8, 2017, Plaintiff filed a motion requesting a stay of the case for a period of 30 days, or an extension of time to respond to defendant's motion to dismiss until December 8, 2017. See Docket No. 139
2. The United States opposes a stay of this case. The Court has been thoroughly briefed on all jurisdictional matters and Plaintiff has already responded to the motion to dismiss filed by the United States at Docket No. 46. In fact, the Plaintiff responded to said motion via Docket No. 66. Therefore, the Court already has the parties' briefs submitted for ruling. Plaintiff's request for another bite at the apple to merely rehash extensive arguments already briefed should not be allowed by the Court.
3. The United States does not oppose that Plaintiff be granted a short extension to respond to any motion not already responded to, given the difficulties presented by the aftermath of Hurricane Maria, but strongly opposes a stay of the case, that would undoubtedly lead to future requests for extensions from the Plaintiff.
- 4.

WHEREFORE, it is respectfully requested from this Honorable Court to take notice of the above mentioned and that the court order: 1) that the United States Motion to Dismiss filed at Docket No. 46, replied and opposed by the Plaintiff in Docket No. 66, and sur-replied at Docket No. 73 stand submitted for adjudication without further filings; 2) that Plaintiff's request for a stay of the case be denied; and 3) that the Plaintiff's request be limited, if allowed by the Court, to a short term to respond only to motions that have not been responded to.

RESPECTFULLY SUBMITTED

In San Juan, Puerto Rico, this 9th day of November, 2017.

ROSA EMILIA RODRIGUEZ-VELEZ
United States Attorney

s/ Hector E. Ramirez-Carbo
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the attorney of record.

In San Juan, Puerto Rico, this 9th day of November, 2017.

s/ Hector E. Ramirez-Carbo
Assistant U.S. Attorney